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Atty. Dkt. No. 072121-0397

PCT

#8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Linda Li XIAO et al.

Title: INTRANASAL ADMINISTRATION OF MC4-R AGONISTS

Appl. No.: 10/505,159

Filing Date: 08/20/2004

Examiner: Unassigned

Art Unit: Unassigned

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Legal Staff
International Division**OFFICIAL REQUEST FOR COPY OF NOTICE TO FILE MISSING
REQUIREMENTS AND RESET OF STATUTORY RESPONSE PERIOD**

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

The above-captioned application entered the U.S. National Phase on August 20, 2004. On August 5, 2005, counsel for Applicant contacted the U.S. PCT Receiving Office to obtain the status of the application. Counsel was advised that a Notice to File Missing Requirements was mailed on or about April 21, 2005, to the address of record. The correspondence address for the application should be associated with Customer No. 27476 as indicated on the Application Data Sheet filed with application (a copy is attached hereto).

To date, neither Chiron Corporation (Customer No. 27476) nor Foley & Lardner LLP (counsel of record) have received the Notice to File Missing Requirements or any further documents from the Office. On August 5, 2005, counsel called the United States Patent and Trademark Office and requested that a copy of the Notice to File Missing Requirements be faxed to Foley & Lardner LLP since the file has not been imaged on PAIR. Counsel was informed that an official written request was required to obtain the requested documents.

A standard 2-month response period would be scheduled to expire on or about June 21, 2005, based on the mailing date of April 21, 2005. Because Applicants have not received a copy of the missing documents and only became aware of them after contacting the United States Patent and Trademark Office, Applicants respectfully request that the time period for

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response be reset and that no adverse consequences with respect to PTA be attributed to this application.

Applicants respectfully request that an official copy of the Notice to File Missing Requirements be mailed to Customer No. 27476 with a copy faxed to Foley & Lardner LLP at (202) 672-5399. Applicants also respectfully request that the time period for filing a response to the Notice to File Missing Requirements be reset, and that no loss of PTA be attributed to this patent application.

Respectfully submitted,

Date

August 11, 2005

By

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THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED REGARDING THIS APPLICATION UNDER 37 C.F.R. §§ 1.16-1.17, OR CREDIT ANY OVERPAYMENT, TO DEPOSIT ACCOUNT NO. 19-0741. SHOULD NO PROPER PAYMENT BE ENCLOSED HERewith, AS BY A CHECK BEING IN THE WRONG AMOUNT, UNSIGNED, POST-DATED, OTHERWISE IMPROPER OR INFORMAL OR EVEN ENTIRELY MISSING, THE COMMISSIONER IS AUTHORIZED TO CHARGE THE UNPAID AMOUNT TO DEPOSIT ACCOUNT NO. 19-0741. IF ANY EXTENSIONS OF TIME ARE NEEDED FOR TIMELY ACCEPTANCE OF PAPERS SUBMITTED HERewith, APPLICANT HEREBY PETITIONS FOR SUCH EXTENSION UNDER 37 C.F.R. § 1.136 AND AUTHORIZES PAYMENT OF ANY SUCH EXTENSIONS FEES TO DEPOSIT ACCOUNT NO. 19-0741.